



City of Greenville

Notice of Administrative Decision for Application # CU 16-96

This public notice is mailed to property owners within 300 feet of the subject property

Property Address: 823 S CHURCH ST, SUITE 1 B (TMS#: 009102-02-00900)

Application: Conditional Use Permit to operate a restaurant past midnight (until 2 AM) on Fridays and Saturdays in a PD, Planned Development District

Decision: Approved with Conditions

Conditions:

- 1) The Conditional Use Permit is limited to the Applicant, Jacob Billingsley, and the business known as "Toss Pizza Pub," and is not transferrable.
- 2) The use shall operate no later than 2 AM. Operation of the facility shall be limited to a 'restaurant' as defined by the City Code and substantially conform to the information provided by the Applicant to the Technical Advisory Committee and the content of the application. Modification of the facility's operation shall require the Applicant to seek a modification of the Conditional Use Permit.
- 3) At all times during its occupancy, the Applicant shall assign a manager on the premises who shall ensure compliance with the terms of this Permit, the City Code, and the applicable SC Code of Laws and Regulations. Operation of the business shall comply at all times with the provisions of the State Alcoholic Beverage Control Act and the Regulations of the Department of Revenue.
- 4) Maximum occupancy shall be determined by the City Building Codes department based on an approved seating plan and shall be managed by the proprietor to prevent over-crowding.
- 5) The Applicant shall designate "security" staff to be responsible for monitoring the occupant capacity and maintaining clear paths of egress, during peak business hours during the first six months of operation. After that time the Technical Advisory Committee will review the need to continue this condition and notify the Applicant.
- 6) Sound amplification is prohibited except for the transmission of background music through the in-house sound system. Except to provide ingress and egress, exterior doors and windows shall remain closed after 10 PM.
- 7) The Applicant and all of its managers and employees responsible for serving any alcoholic beverage (current and future) shall participate in the "Merchant Education / Server Training" Program offered by the Phoenix Center or comparable program offered by other vendor(s) approved by the Greenville Police Department. Evidence of satisfactory completion of this training for each employee shall be retained on-site and available for inspection by the Administrator and the Greenville Police Department. Current personnel shall receive training within ninety (90) days of the date of the granting of a Conditional Use Permit and future personnel shall receive training within thirty (30) days of hiring.
- 8) A copy of the Conditional Use Permit shall be maintained with other posted occupancy information on the premises and made available for code enforcement inspections.

By application filed 2/16/16 the Applicant, Jacob Billingsley dba "Toss Pizza Pub," requested a Conditional Use Permit pursuant to Section 19-2.3.6, *Conditional Use Permit*; Section 19-4.1, *Table of Uses*; and Section 19-4.3.3, *Use Specific Standards*, of the Greenville City Code to operate a restaurant after midnight in a PD, Planned Development District. Notice was mailed to property owners within 300 feet of the subject property on March 8, 2016. The Applicant met with the Technical Advisory Committee on March 21, 2016.

Findings:

- The Technical Advisory Committee made sufficient findings to recommend approval of the permit, subject to the conditions enumerated above and the Report of the Technical Advisory Committee.
- The use complies with the goals, policies, and standards of the ordinance and, in particular, with the standards of Section 19-4.3, Use Specific Standards.
- The infrastructure capacity is adequate to serve the conditional use.
- The use complies with the standards for granting a special exception:

The use is consistent with the comprehensive plan. The Future Land Use Map of the City's comprehensive plan designates the area as "Mixed-Use Community."

The use is compatible with the character of surrounding lands. The use is located in a tenant space within a new mixed-use project that includes other retail businesses and residential units that are all managed by the original developer. Nearby properties offer employment, services, and a trail connection to the Swamp Rabbit Trail. Fluor Field and the West End of downtown are within walking distance.

Adverse impacts associated with the design of the use, which may include noise, odors, or late-night loitering in surrounding neighborhoods are intended to be addressed by the conditions enumerated above.

Appeal:

Any person believing that the administrator erred in its decision has the right to appeal the decision to the City of Greenville Board of Zoning Appeals. The appeal form and fee must be submitted to the Planning and Development office within 10 business days after the decision is made, and must state the reasons he or she believes the decision is illegal, either in whole or in part.

Conditional Use Permit:

The Conditional Use Permit issued to the Applicant is required to be maintained with other posted occupancy information on the premises, available to city inspectors.

General Information:

The appropriate responsible party must obtain any necessary permits, certificates and/or licenses from the City of Greenville Permits and Licenses Office before beginning work, occupying premises, or starting a business.

Failure to comply with any conditions prescribed in conformity with the City of Greenville Code of Ordinances (Land Management), when made part of the terms under which this Conditional Use is granted, shall be deemed a violation of the City Code, punishable under penalties established by City Code.

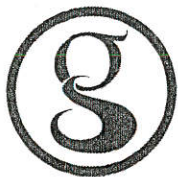


Nathalie Schmidt, AICP
Development Planner

June 2, 2016

Date

Application # CU 16-96 Fees Paid _____
Date Received: 2-16-2016 Accepted by _____
Date deemed complete _____ App Deny Conditions _____



APPLICATION FOR CONDITIONAL USE CITY OF GREENVILLE, SOUTH CAROLINA

APPLICANT / PERMITTEE*:

**Operator of the proposed use;
permit may be limited to this entity.*

Jacob Billingsley

Name

owner / Bagods LLC

Title / Organization

APPLICANT'S REPRESENTATIVE:
(Optional)

Jacob Billingsley

Name

owner / Bagods LLC

Title / Organization

MAILING ADDRESS: 310 Poincena St Greenville, SC 29601

PHONE: 678-592-2074 EMAIL: jacobbillingsley@gmail.com

PROPERTY OWNER: South Ridge Investment, LLC

MAILING ADDRESS: 221 King St Ste 300

PHONE: 843-722-2615 EMAIL: _____

PROPERTY INFORMATION

STREET ADDRESS: 823 S Church St. Greenville SC 29601

TAX PARCEL #: _____ ACREAGE: _____ ZONING DESIGNATION: _____

REQUEST

Refer to Article 19-4, Use Regulations, of the Land Management Ordinance (www.municode.com/library/)

DESCRIPTION OF PROPOSED LAND USE: Restaurant w/ alcohol sales
w/ 2:00 am exemption on Fridays & Saturdays

INSTRUCTIONS

1. The application and fee, made payable to the City of Greenville, must be submitted to the planning and development office during normal business hours.
2. The applicant/owner must respond to the "standards" questions on page 2 of this application (you must answer "why" you believe the application meets the tests for the granting of a conditional use). See also **Section 19-2.3.6, Conditional Use Permit**, for additional information. You may attach a separate sheet addressing these questions.
3. For conditional use requests for nightclubs/bars, event venues, or businesses operating after midnight, the applicant must also submit the **Zoning Compliance Application for Establishments Serving Beer, Wine, or Liquor**.



city of greenville

Zoning Compliance Application

Establishments Serving Beer, Wine, Or Liquor

Applicant

Name Jacob Billingsley Phone 678-592-2074
Mailing Address 310 Pinckney St. Greenville, SC 29601
Email jacobbillingsley@gmail.com
Signature of Applicant _____ Date _____

Property Owner

Name South Ridge Investment, LLC Phone 843-722-2615
Mailing Address 1 211 King St. Ste 300 Charleston, SC 29401
Email _____
Signature of Property Owner _____ Date _____

Property Information

Address 823 S. Church St. Greenville, SC 29601
TMS# _____ Zoning District Designation _____

Description of Proposed Use

Provide details for each of the following, as applicable, on a separate sheet:

Operating Plan

1. Type of Use (Restaurant, Nightclub, Event Venue, Etc.)
2. Days and Hours of Operation
3. Staffing Schedule
4. Kitchen Equipment Schedule
5. Menu and Hours of Food Service
6. Parking for Customers and Employees
7. Designated Smoking Area
8. Type of Entertainment and Duration
9. Closing / "Last Call" Procedures

Security Procedures

1. Number and Type of Designated Security Staff
2. Training / Certification of Staff
3. Specific Duties / Responsibilities of Staff
4. Entry / Exit / Re-Entry Procedures
5. Crowd Management
6. Crime Prevention through Environmental Design (CPTED)

Seating Plan

1. Provide a floor plan, drawn to scale, by a registered South Carolina architect. The plan must demonstrate the proposed occupancy with calculations based on the current adopted building code.
2. Schedule a feasibility inspection of the property: 864.467.4457

Business Plan

1. Business Plan Summary: Target Audience, Theme, Objectives / Goals
2. Projected Revenue: % Alcohol Vs. Food Sales
3. Fees For Entry / Membership / Entertainment
4. Status Of City Business License Application
5. Status Of SCDHEC 'Retail Food Establishment' Permit, If Applicable
6. Status Of Abl-901 Application To SC Department Of Revenue
7. Provide Documentation That Sled Requirements Have Been Met



city of greenville

Provide a response for each of the following:

1. Describe the ways in which the proposed use is consistent with the comprehensive plan.

We will offer a locally owned, unique dining destination. Being a part of the South Ridge Developments "A Step Up from Downtown" plan, fits perfectly with the city.

2. Describe the ways in which the request is appropriate for its location and is compatible with the character of existing and permitted uses of surrounding lands and will not reduce the property values thereof.

Since we are a very small part of a huge development that the city has already deemed compatible, our resolve is to work under that scope. Restaurants within walking distance tend to always enhance property value.

3. Describe the ways in which the request will minimize adverse effects on adjacent lands including: visual impacts; service delivery; parking and loading; odors; noise; glare; and, vibration. Describe the ways in which the request will not create a nuisance.

All deliveries will be made from an underground parking lot. All trash to be located in approved sections. All noise & vibration to be contained per lease specifications with The Beach Company.

Meet With the Technical Advisory Committee

Applications for Zoning Compliance will be reviewed by the Technical Advisory Committee (TAC), a City Staff committee comprised of representatives from the following City Departments and appointed by the City Manager:

Building Codes and Inspections
Business Licensing
Economic Development
Public Information and Events

Police
Fire
Planning
Legal

The Technical Advisory Committee convenes once-a-month to meet with Applicants and review Conditional Use Permit applications that may be granted by the Zoning Administrator. This process promotes a more comprehensive understanding of the Applicant's proposal, which in turn conveys a more comprehensive understanding of the multiple Departments' operating requirements and expectations.

The Applicant, Business Owner, and Property Owner (if different) are required to attend a regularly scheduled TAC meeting prior to granting a Conditional Use Permit. Managers and anyone involved in operating the business are also encouraged to attend. The meeting date, time, and exact location within City Hall will be confirmed upon submittal of this application to the Planning and Development office on the 5th floor of City Hall.

City of Greenville
Zoning Compliance Application
Description of Proposed Use

Toss Pizza Pub

Operating Plan

1. Type of Use: Restaurant with alcohol sales
2. Days and Hours of Operation: 7 days a week from 11:00am to midnight. Friday and Saturday night till 2:00am
3. Staffing Schedule: Management- day shift 10:00am to 6:00pm, night shift 5:30 to close. Service Staff- 10:00am to close (staggering shift times based on peak hours). Kitchen and Back of House Staff- 9:00am to close (staggering based on peak hours). Security Staff- Friday and Saturday from 10:00pm to close (or per recommendation of TAC Committee).
4. Kitchen Equipment Schedule: see attached
5. Menu and Hours of Food Service: Hours of food service will be from 11:00am to 11:00pm, 7 days a week. Possibly extended on the weekend based on demand. Menu consists of pizza by the slice, or by 14" or 16" full pie. While any size pizza can be customized personally by over 50 different types of toppings, we will offer 6-8 specialty artisan pizzas, one of which will rotate every month. Aside from Pizza, we offer a choice of 4 different salads, 4 different sandwiches, a variety of wings as well as appetizers such as our stuffed mushrooms and homemade meatballs. Pasta will be served built to order, and homemade lasagna will also be available.
6. Parking for Customers and Employees: South Ridge Development has hundreds of mixed use parking space available on site.
7. Designated Smoking area: All smoking must be done on the sidewalk that is more than 10 ft from any entrance.
8. Type of Entertainment and Duration: Background music will be played via Pandora or a similar streaming device. As per the Lease agreement with South Ridge Investments, all noise levels will remain at a level to not disturb residents.
9. Closing / Last Call Procedures: Last call will be instituted 35 minutes before closing time, all alcohol service will cease 20 minutes before closing. All customers will be out of the restaurant at closing time.

Security Procedures

1. Number and Type of Designated Security Staff: Security will be provided in house for nights that it is appropriate, i.e. Friday and Saturday. If the TAC committee feels it to be appropriate, a SLED certified officer will be used, much like our current establishment. All management and staff will be trained on how to defuse any issues that might arise.
2. Training / Certification of Staff: Any staff serving alcohol will be required to take a SafeServe course.
3. Specific Duties / Responsibilities of Staff: Mainly to provide a safe environment for patrons and fellow staff alike. Our business model does not cater to a crowd that should ever become "rowdy". If a situation would arise, management and or security will be notified and the patron will be asked to leave. If the handling of a scenario like this results in a customer not complying, the local authorities will be called. At no point will staff take an aggressive approach in escorting anyone out of the building.

4. Entry / Exit / Re-Entry Procedures: Once again, our business model is not one of a night club or "biker bar". Much like a hotel bar stays open late, we request a 2:00am exemption on the weekends for those who choose to enjoy an atmosphere opposite the model of a night club. As for Entry, all patrons will be required to show ID for any alcoholic beverage as well as any time after 10:00pm. Exit and re-entry will certainly be allowed, ID's will be required each time.
5. Crowd Management: Much like our duties and responsibilities as a staff states, our model is to provide a safe environment for patrons and staff alike. Should the instance ever arrive that the pizza shop nears capacity (which will be monitored via a "clicker"), measures will be taken to have a line form for entry. Outside of downtown Greenville, I am unaware of any establishments that reach a capacity for such action to be taken, but trust that with our experience in this industry we will have no problem managing a crowd.
6. Crime Prevention through Environmental Design: Our model is one that detours crime based on alcohol consumption and socio-economic reasons. While we pride ourselves on our service and creating an environment to feel safe and taken care of (not over served), our price point generally detours the sector of population that tends to get rowdy at restaurants and bars. Music is played at a respectable level, void of influences that generally associate with crime. Lighting is clean and appropriate, never giving a "night club" or "dive bar" appearance.

Seating Plan

1. Provide a floor plan: Provided to the city by The Ellis Group architectural firm.
2. Schedule a feasibility inspection of the property: At the time of this proposal, the building is still under construction with dirt floors and no walls.

Business Plan

1. Business Plan Summary: Target Audience, Theme, Objectives / Goals: Our Target Audience is frankly anyone who loves great pizza, great food and drink, great atmosphere, and an overall tremendous dining experience in a casual environment. Understandably, our target is not terribly specific. When you operate hours that begin at 11:00 and end at midnight, you're going to open yourself up to plenty of different customers, i.e. families, work lunches, date night, local residents, etc. As for theme, we're aiming Artisan pizza with a hint of modern flair. Within that, our decor will consist of more of an industrial look that holds some room for modern flair as well. Our Objective and Goals are to operate a successful business that can be duplicated in other markets.
2. Projected Revenue: % Alcohol vs food sales: We project to sell a little over \$1M in our first fiscal year. 30-35% of that deriving from alcohol, and 65-70% in food sales.
3. Fees for Entry / Membership / Entertainment: \$0
4. Status of City Business License Application: Applied for.
5. Status of SC DHEC Retail Food Establishment Permit: Applied for and DHEC has been consulted multiple times during our design phase.
6. Status of ABL-901- Applied for.
- 7.



1: 1,476



Legend

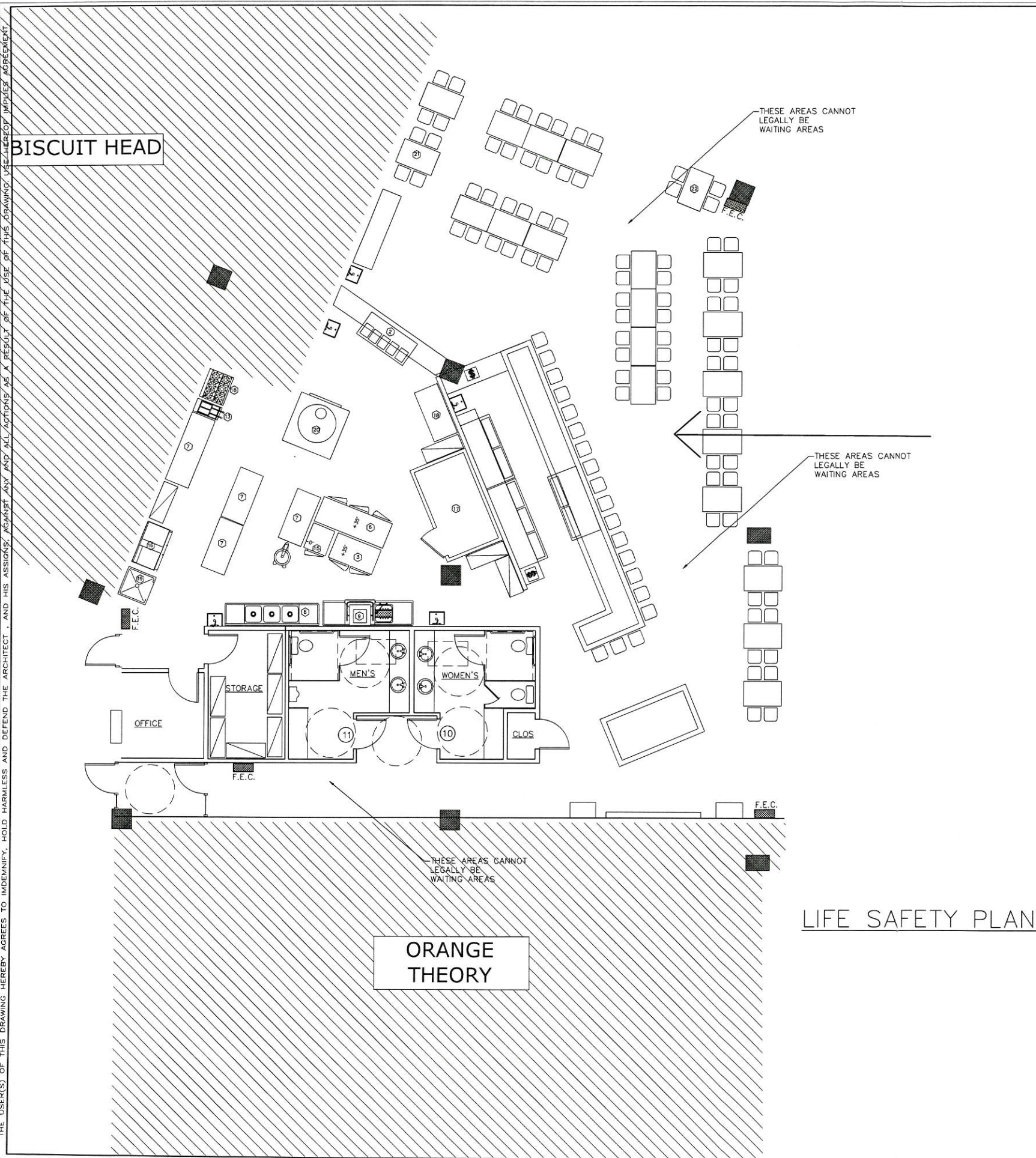
- Parcels with Ownership
- City of Greenville Limits
- 2015 Aerial Photography

Notes

This map is user generated from the City of Greenville's MapIT 2.0 intranet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable and should be appropriately used with caution. Contact the GIS Division for all questions pertaining to the MapIT 2.0 program and data.

246 0 123 246 Feet

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© City of Greenville, SC Date Created: 2/17/2016



LIFE SAFETY PLAN

CODE REVIEW NOTES:

OCCUPANCY:
A-2

CONSTRUCTION:
V A

SQUARE FEET:
ALLOWED - 11,500 SF
ACTUAL - 4,120 SF

BUILDING HEIGHT:
ALLOWED: - 2 STORY & 50 FT.
ACTUAL - 1 STORY & 20 FT.

SPRINKLED:
YES

OCCUPANCY COUNT:
DINING AREA - TABLE /CHAIR SEATING = 84
BAR SEATING - FIXED SEATING = 19
GAME AREA - (365 SQ. FT.)/11 SQ. FT./PERSON = 33
KITCHEN - (1,143 SQ. FT.) / (200 SQ. FT./PERSON) = 6
STORAGE - (105 SQ. FT.) / (300 SQ. FT./PERSON) = 1
WAITING AREA-(220 SQ. FT.) / (5 SQ. FT./PERSON) = 44
OFFICE - (80 SQ. FT.) / (100 SQ. FT./PERSON) = 1
TOTAL = 188

BUILDING ELEMENTS (FIRE PROTECTION):
NO PROTECTION REQUIRED PER TABLE 601 FOR
TYPE V A CONSTRUCTION

INTERIOR FINISHES:
PER TABLE 803.5.
EXIT ENCLOSURES & EXIT PASSAGEWAYS = A
CORRIDORS = A
ROOMS & ENCLOSED SPACES = B

FIRE ALARM:
NOT REQUIRED PER 907.2.2. OCCUPANT LOAD IS
LESS THAN 500.

EXIT & EXIT ACCESS DOORWAYS:
PER TABLE 1005.1
72 OCC. X .20"/OCC. (NOT SPRINKLERED) = 14.4" REQUIRED
TOTAL WIDTH PROVIDED = 108"

EXITS & TRAVEL DISTANCE:
MINIMUM NUMBER OF EXITS (TABLE 1019.1)
OCC. LOAD OF 1-500 = 2
NUMBER OF EXITS PROVIDED = 4

PER TABLE 1016.1. "A" OCCUPANCIES ARE ALLOWED 200
FEET OF TRAVEL DISTANCE WITHOUT AN AUTOMATIC
SPRINKLER SYSTEM

ACTUAL TRAVEL DISTANCE = 73 FT

NOTES & LEGEND:

- 1 SEE A600 FOR RESTROOM DETAILS
2 PRIMARY EXIT= 72"/.15= 480 ALLOWED OCCUPANT
EGRESS LOAD

PROPOSED FIRE EXTINGUISHER LOCATIONS. RECESSED
MOUNTED IN CABINET. FINAL NUMBER & LOCATION
TO BE COORDINATED W/ LOCAL FIRE MARSHALL



THE
ELLIS
GROUP P.A.
ARCHITECTURE

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ELLIS
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C-83006
REGISTERED ARCHITECTS

STATE OF SOUTH CAROLINA
ROBERT E.
ELLIS, JR.
GREENVILLE SC
1962
REGISTERED ARCHITECTS

American Institute
of Architects

TOSS PIZZA PUB
Level 2, Area D - Southridge
Church St @ University Ridge
Greenville, SC 29601

DATE 1-7-16
SCALE AS NOTED
JOB NO. 15339
DRAWN ACS
CHECK REE
REVISIONS
NO. 1 DATE
NO. 2 DATE
NO. 3 DATE

SHEET
LS100
LIFE SAFETY PLAN